

## Message Text

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INFO OCT-01 EUR-12 ISO-00 ACDA-10 CIAE-00 INR-07 IO-10

NSAE-00 NSC-05 EB-07 NRC-07 OES-05 DODE-00 FEA-01

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FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY MADRID

AMEMBASSY PARIS

AMEMBASSY ROME

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

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E.O. 11652: NA

TAGS: TSPA, BE, NL, SP, FR, IT

SUBJECT: AGREEMENT ON RESCUE AND RETURN OF ASTRONAUTS  
AND RETURN OF OBJECTS LAUNCHED INTO OUTER SPACE DONE AT  
WASHINGTON, LONDON AND MOSCOW APRIL 22, 1968.

REF: PARIS 24020

1. DEPARTMENT HAS RECEIVED FROM EUROPEAN SPACE AGENCY  
FOLLOWING DECLARATION ADOPTED BY ESA JUNE 25, 1975:

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BEGIN QUOTE: THE EUROPEAN SPACE RESEARCH ORGANISATION

ESTABLISHED BY A CONVENTION OPENED FOR SIGNATURE IN PARIS  
ON 14 JUNE 1962 AND CONDUCTING ITS ACTIVITIES WITH EFFECT  
FROM 31 MAY 1975 UNDER THE TITLE OF EUROPEAN SPACE AGENCY,

RECALLING THAT ITS TASK IS TO CARRY OUT ON BEHALF AND IN  
THE NAME OF ITS MEMBER STATES SPACE RESEARCH AND TECHNOLOGY  
PROGRAMMES AND THEIR SPACE APPLICATIONS FOR EXCLUSIVELY  
PEACEFUL PURPOSES,

HAVING TAKEN NOTE OF THE PROVISIONS OF THE AGREEMENT ON  
THE RESCUE OF ASTRONAUTS, THE RETURN OF ASTRONAUTS AND THE  
RETURN OF OBJECTS LAUNCHED INTO OUTER SPACE, WHICH ENTER-  
ED INTO FORCE ON 3 DECEMBER 1968, AND IN PARTICULAR OF ITS  
ARTICLE 6,

CONSIDERING THAT THE MAJORITY OF ITS MEMBER STATES ARE  
PARTIES TO THE TREATY ON PRINCIPLES GOVERNING THE ACTIV-  
ITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE,  
INCLUDING THE MOON AND OTHER CELESTIAL BODIES, AND TO  
THE AFOREMENTIONED AGREEMENT,

DECLARES THAT IT ACCEPTS THE RIGHTS AND OBLIGATIONS  
PROVIDED FOR IN THE AFOREMENTIONED AGREEMENT,

CONSIDERS THAT PURSUANT TO ARTICLE 6 THE TERM "LAUNCHING  
AUTHORITY" REFERRED TO IN THE AFOREMENTIONED AGREEMENT  
APPLIES TO IT WITH EFFECT FROM THE DATE OF THE PRESENT  
DECLARATION. END QUOTE.

2. ACCORDING ARTICLE 6 ASTRONAUT AGREEMENT, SUCH  
DECLARATION MAY BE GIVEN BY AN INTERNATIONAL INTER-  
GOVERNMENTAL ORGANIZATION RESPONSIBLE FOR LAUNCHING  
PROVIDED A MAJORITY OF STATES MEMBERS OF THAT ORGANIZA-  
TION ARE CONTRACTING PARTIES TO ASTRONAUT AGREEMENT AND  
TO TREATY ON PRINCIPLES GOVERNING ACTIVITIES OF STATES  
IN EXPLORATION AND USE OF OUTER SPACE INCLUDING MOON AND  
OTHER CELESTIAL BODIES. ESA MEMBERS ARE: BELGIUM,  
DENMARK, FRANCE, FED. REP. GERMANY, ITALY, NETHERLANDS,  
SPAIN, SWEDEN, SWITZERLAND AND UK.

3. ALL OF THE STATES MEMBERS OF ESA ARE CONTRACTING  
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PARTIES TO OUTER SPACE TREATY. HOWEVER, ACCORDING TO  
DEPARTMENT'S DEPOSITARY RECORDS AND INFORMATION OBTAINED  
FROM UK AND USSR, ONLY FIVE ESA MEMBERS (DENMARK, FRG,  
SWEDEN, SWITZERLAND AND UK) ARE CONTRACTING PARTIES TO  
ASTRONAUT AGREEMENT. BELGIUM, ITALY AND NETHERLANDS  
SIGNED AGREEMENT BUT HAVE NOT YET DEPOSITED INSTRUMENTS OF  
RATIFICATION. FRANCE AND SPAIN DID NOT SIGN AGREEMENT  
AND HAVE NOT DEPOSITED INSTRUMENTS OF ACCESSION. (NOTE:

SIGNATORY STATE IS NOT A CONTRACTING PARTY UNTIL IT DEPOSITS ITS RATIFICATION INSTRUMENT; NON-SIGNATORY BECOMES CONTRACTING PARTY BY DEPOSITING ACCESSION INSTRUMENT.)

4. IN VIEW OF FOREGOING, USG UNABLE ACCEPT ESA DECLARATION OF ACCEPTANCE FOR DEPOSIT, UNTIL MAJORITY REQUIREMENT OF ARTICLE 6 MET. DEPOSIT OF ONE INSTRUMENT - EITHER RATIFICATION BY BELGIUM, ITALY OR NETHERLANDS OR ACCESSION BY FRANCE OR SPAIN, WITH ANY OF THREE DEPOSITARIES - WOULD FULFILL THAT REQUIREMENT.

5. AMEMBASSY PARIS REQUESTED TO INFORM ESA COUNCIL OF FOREGOING, STATING DEPARTMENT WILL HOLD ESA DECLARATION UNDEPOSITED AT THIS TIME, PENDING FURTHER DEVELOPMENTS.

6. IF NO OBJECTION PERCEIVED, EMBASSIES MAY INQUIRE OF HOST GOVERNMENTS THEIR PLANS FOR RATIFYING OR ACCEDING TO REF AGREEMENT, AND REPORT SAME TO DEPARTMENT. KISSINGER

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
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**To:** BRUSSELS MULTIPLE  
**Type:** TE  
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